THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

W.P.No.5787 of 2007

Date:22.03.2007

Between:

M/s.Sai Krishna Modern Rice Mill.

.. PETITIONER

AND

The Assistant Divisional Engineer & others.

..RESPONDENTS

ORDER:

The petitioner is a Rice Mill. It fell in arrears to a tune of Rs.1,64,708/- towards consumption and other related charges of electricity. The power supply was disconnected. On a request made by it, the Chairman and Managing Director of the Andhra Pradesh Northern Power Distribution Company Limited, the fourth respondent, extended the facility of clearing the dues in three instalments. The first instalment of Rs.56,708/- was to be paid on a condition precedent for restoration of power supply and the remaining two instalments of Rs.54,000/- each were to be paid on 14.12.2006 and 14.01.2007.

The petitioner paid the first instalment and the power supply was restored. However, it could not pay the other two instalments and made a representation on 01.03.2007 for permitting it to pay the balance in ten instalments stating that the Mill was closed and it is virtually without any business. It is stated that as of now, the accrued arrears are to a tune of Rs.1,48,808/-. The petitioner seeks appropriate directions in this regard.

Heard the learned counsel for the petitioner and the learned

standing counsel for the respondents.

The fourth respondent himself felt that the petitioner deserves to be granted the facility of clearing the accrued arrears in instalments. More than one-third of the amount was paid by the petitioner on 19.11.2006. The other two instalments became due with the interval of hardly one month. In the meanwhile, certain other charges have also accrued. The effect of closure of the Mill for a long time would remain for some time. It needs quite some time for the business of the petitioner to pickup. This Court is of the view that the petitioner deserves to be extended the facility of paying the amount in instalments, in such a way that it would sub-serve the purpose of both.

Hence, the writ petition is disposed of, directing that:

(a) the petitioner shall clear the arrears by paying instalments of Rs.20,000/- (Rupees twenty thousand only) per month on or before 10th of every month, commencing from April 2007, and on payment of the first instalment, the power supply shall be restored;

(b) in case, the petitioner commits default of any two consecutive instalments, the respondents shall be entitled to disconnect the power supply; and

(c) this facility would apply only for payment of arrears and in not for payment of monthly consumption charges.

There shall be no order as to costs.

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22.03.2007

Note: Issue c.c. in three days.
(B/o)
kdl